

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHVETA KAKAR KURTZ, DANIEL L. KURTZ,  
A.K. KURTZ, *a minor child*, and M.K. KURTZ,  
*a minor child*,

Plaintiffs,

-v-

DAVID HANSELL, *as the duly appointed*  
*Commissioner of the New York City Administration*  
*For Children's Services*, et al.,

Defendants.

20 Civ. 3401 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On September 23, 2020, additional defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Additionally, under Rule 15 (a)(2), a plaintiff may amend the complaint with written leave of Court.

Accordingly, consistent with the Court's prior orders, *see* Dkts 102, 104, plaintiffs shall file any amended complaint by October 9, 2020, for which the Court hereby grants leave. No further opportunities to amend will ordinarily be granted. If plaintiffs do amend, by October 30, 2020, each defendant shall: (1) file an answer; (2) file new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.<sup>1</sup>

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<sup>1</sup> If defendants file a new motion to dismiss or rely on their previous motion, plaintiffs' opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.

If no amended complaint is filed, plaintiffs' deadline to respond to all motions to dismiss remains October 9, 2020. Defendants' replies, if any, shall be served by October 30, 2020. At the time any reply is served, the moving party shall supply the Court with courtesy copies of all motion papers via email to [EngelmayerNYSDChambers@nysd.uscourts.gov](mailto:EngelmayerNYSDChambers@nysd.uscourts.gov).

SO ORDERED.

  
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PAUL A. ENGELMAYER  
United States District Judge

Dated: September 23, 2020  
New York, New York